

Danner, Ward

From: Seth Jacobson <seth@jcipr.com>
Sent: Thursday, July 17, 2014 5:15 PM
To: Armann, Steve
Subject: Follow-up\$ FW: NEW Tests Show PCBs at MHS and JC Highest in Nation

Follow Up Flag: Follow up
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Steve:

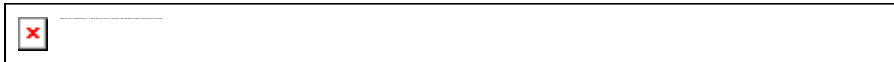
Was disappointed I never received a response to my question regarding the "safety" statement made by MU. But now I feel like as a individual and community member this kind of misrepresentation of facts (see below) and situation is very disturbing. And I would hope that the agency would find it important enough to take a stand and clarify the status of testing, discuss pathways and the misrepresentation of risk. While I understand the need for process and how government agencies function, we are now dealing with what I would consider dangerous territory that will further confuse and alarm parents and students in our schools.

I hope you take this request to heart and are able to assist in this matter.

Regards.

Seth Jacobson
SMMUSD Environmental Task Force

From: Malibu Unites <admin@malibuunites.com>
Reply-To: Malibu Unites <admin@malibuunites.com>
Date: Thu, 17 Jul 2014 23:34:51 +0000
To: Seth Jacobson <seth@jcipr.com>
Subject: NEW Tests Show PCBs at MHS and JC Highest in Nation



New Independent Tests Show All Three Malibu Schools Highly Contaminated with PCBs

This morning a [press release](#) indicated that independent tests done on caulk and dirt samples from our tri-campus came back with excessively high PCBs, 7400 times higher than federal standards, which at 50ppm must by federal law be removed. These results are the highest indoor classroom for caulk found so far in

the nation.

- **Room 19 in Juan Cabrillo** Elementary School reported 340,000ppm, meaning that approximately one-third of the caulk consisted of PCBs. This was the first time that this elementary school has been tested, despite eight months of promises from the District to do so, and indicates serious contamination affecting 5-11 year-olds;
- Sixth-grade students were unnecessarily exposed when relocated from building E to a room that was 6800 times more toxic than TSCA law allows. **A simple \$100 test would have protected our children from cancerous exposure.** Superintendent Sandra Lyon told the 6th grade teacher that the room had been previously occupied by a teacher with cancer, yet Lyon did not preemptively test this classroom before moving kids and this teacher to this room.
- Room 506: **woodshop room** tested at 370,000 ppm PCBs. This is the highest classroom reported in the Nation. By contrast, the highest level previously reported by the district was 1,870 ppm in the library at MHS.
- The P.E. office reported caulking at 190ppm which confirms that **all four teachers diagnosed with thyroid cancer worked in rooms where PCBs exceeded legal limits**; and
- Dirt samples from the two middle school classrooms that were trenched to lay down cables in August 2013 showed PCB levels 11 times higher (2.7ug/kg) than EPA's recommended level (.2ug/kg). This may indicate possible contamination of the soil under the building, so further testing should be done.

Without this independent testing, parents would not know what their children are being exposed to. The latest Environ plan proposes to do nothing about the PCBs for 15 years, exposing our children to the highest PCBs results in the Nation. And we will not know the full extent of the contamination at MHS and JC until source testing is done in all pre-1979 classrooms.

As alarming as this report sounds, ***we can fix our schools.*** Malibu Unites

proposes that SMMUSD immediately take the following actions to address the situation:

1. Move students and teachers in untested classrooms and classrooms that have violated TSCA into interim portable units to ensure their safety when they return to school on Aug 19th;
2. In the next 60 days, Test for PCB sources/ caulking in all pre-1979 classrooms throughout all three schools;
3. remove PCBs in excess of 50 parts per million as required by TSCA law within one year;
4. Re-allocate ES and BB bond measure funds to properly remediate/remove the contamination issues at Malibu High School and Juan Cabrillo. **Current approved BB plans will not fix the PCB problem at MHS or JC.**

Please know that Malibu Unites is researching other options so that we can keep our children together in a community that we love. It is with hard work and dedication from our Malibu Unites Team and we want to thank everyone for your time and support to ensuring all of our children are protected. We encourage all of you to join our leadership team.

Please join us in urging the Superintendent and the Board of Education members to shift their focus from protecting their liability to protecting our children and teachers. Send them an email at brd@smmusd.org and please remember to cc: supporter@malibuunites.org so that we have a record of the number of emails sent to the board. There is a sample letter below to copy and paste for your convenience or you can send your own letter :)

We will keep updating you on this issue. If you would like daily updates, please join us on FACEBOOK and Twitter. And as always you are welcome to contact any member of Malibu Unites for questions.

Respectfully,

Malibu Unites

www.malibuunites.com

[Read Press Release](#)

[Look at latest test results](#)

[Read Malibu Unites/PEER comments](#)

[View Malibu Unites proposal](#)

[See teacher objections to limited remediation approach](#)

[See primer on PCB health effects](#)

Sample Letter to copy and paste:

brd@smmusd.org, support@malibuunites.com

Dear SMMUSD and Superintendent Lyon:

Parents have the right to know what their children are being exposed to. Time is up. We are demanding you test the sources at MHS and JC and immediately share all raw data with parents. Until that time, we do not feel comfortable sending our child(ren) into MHS /JC classrooms. We demand SMMUSD immediately accept and take the following actions to address the situation:

1. Move students and teachers in untested classrooms and classrooms that have violated TSCA into interim portable units to ensure their safety when they return to school on Aug 19th;
2. In the next 60 days, Test for PCB sources/ caulking in all pre-1979 classrooms throughout all three schools;
3. remove PCBs in excess of 50 parts per million as required by TSCA law within one year;
4. Re-allocate ES and BB bond measure funds to properly remediate/remove the contamination issues at Malibu High School and Juan Cabrillo. **Current approved BB plans will not fix the PCB problem at MHS or JC.**

We expect your response to be swift and positive to our demands.

Respectfully,

EPA Work Plan Timeline:

The EPA has agreed to provide the testing plan to our MU experts when they receive it. The deadline is April 25th, 2014. Our independent experts will review and make suggestions and comments to the EPA. The community must have a say in this process; it cannot be done behind closed doors where Environ would be the only firm making suggestions to the regulatory agencies.

Malibu Unites will have our independent expert review and comment on the plan and make suggestions to the EPA. We will send this to the community with a link to the plan. MU will have one week to review. Please submit any questions and concerns to support@malibuunites.com (as well as send them to Environ). We will make sure these emails get to our expert and are addressed. If anyone has questions they would like to

Expert's thoughts on DTSC and Environ Survey:

The survey that was sent out the Friday before Spring Break from the DTSC. This is due April 25th, 2014. The link is below. The EPA informed MU that the last 4 questions regarding "Best Management Practices" cleaning were from Environ.

The first part of the survey from the DTSC is asking how the community wants to be communicated with during this process. The DTSC is cooperating with Malibu Unites. We will continue to develop this relationship in the best interest of our Malibu community to ensure proper testing and remediation occur.

The following comments express our team of experts' opinions on the last 4 questions in the survey.

BMP is a cleaning program recommended by the EPA to remove dust that may contain PCBs while leaving PCB

discuss, you can always call Jennifer deNicola at 310-848-5400 or any other member of the Malibu Unites Team.

DTSC Work Plan Timeline

The DTSC expects a plan from Environ sometime in May. The DTSC has committed to sharing the plan with us when they receive it.

caulking in place. BMP is not a substitute for testing to identify the source of the PCBs and removing them. Once the caulk is tested and sources are identified, we can discuss remediation options that may or may not include BMP. To comply with the Toxic Substance Control Act, any source with 50ppm or more of PCBs must be removed (so far we have 5 classrooms in violation: 1, 5, 8, 301 and the library).

The EPA should have the testing data on the effectiveness of BMP and know how often it is necessary to be effective. The BMP done by professionals in December 2013 at MHS, was not effective reducing air concentrations, so we have little faith that BMP performed by our maintenance staff will be effective. For example: on Dec 21, 2013, the GYM office was pretested at 96.7ng, then BMP cleaned for approximately \$5000, and post-tested at 89ng. This is a 7 ng reduction and evidence that BMP is not effective at reducing PCB exposure in the air.

Environ needs to create a plan

that will identify the sources of PCBs in our schools and that will comprehensively test the soil and the classrooms for chemical contaminants like asbestos, lead, PCBs, pesticides, VOC and heavy metals. Once we have a reproducible and reliable data set, we can begin to make cumulative risk assessments, which is the total risk based on all chemical contaminants combined found on our campus. Then we can discuss “risk management” choices and plan for remediation. Until this is assessment is done, discussing BMP cleaning is putting the cart before the horse.

[Click Here for Survey](#)

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Previously on MHS list.

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